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Hotel 57, LLC, Ty Warner Hotels & Resorts, LLC
and H. Ty Warner*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SELENA STALEY, VIVIAN HOLMES, and OLIVE
IVEY, on behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

FOUR SEASONS HOTELS AND RESORTS,
HOTEL 57 SERVICES, LLC, HOTEL 57, LLC, TY
WARNER HOTELS & RESORTS, LLC, and H. TY
WARNER,

Defendants.

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Case No.: 22-CV-6781 (JSR)

**NOTICE OF MOTION TO
COMPEL ARBITRATION,
DISMISS CLASS CLAIMS
AND STAY ACTION**

PLEASE TAKE NOTICE that Defendants Hotel 57 Services, LLC, Hotel 57, LLC, Ty Warner Hotels & Resorts, LLC, and H. Ty Warner (the “Warner Defendants”), by and through their undersigned counsel, Freeborn & Peters LLP, respectfully will move this Court before Hon. Jed S. Rakoff, U.S.D.J., at the United States Courthouse, Southern District of New York, 500 Pearl Street, New York, New York 10007 for an Order: (1) compelling Plaintiffs Selena Staley, Vivian Holmes and Olive Ivey (collectively the “Plaintiffs”) to arbitrate their claims alleged in the Complaint against the Warner Defendants; (2) dismissing the class claims alleged in the Complaint; (3) staying this action pending the completion of arbitration; and (4) for such other and further relief as the Court deems just and proper.

As set forth in the Court's November 7, 2022 e-mail to counsel for all parties, the schedule for service and filing of the parties' papers in connection with this motion is as follows: (1) the Warner Defendants' moving papers shall be served and filed by November 15, 2022; (2) Plaintiffs' answering papers shall be served and filed by December 6, 2022; and (3) the Warner Defendants' reply papers to be served and filed by December 13, 2022. A date for a hearing on the motion will be determined by the Court.

Dated: New York, New York
November 9, 2022

FREEBORN & PETERS LLP

By: /s/ Marc B. Zimmerman
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